

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

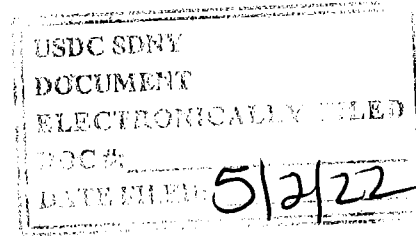
ROBERT JAMIESON; JUDITH JAMIESON;  
ROBERT JAMIESON AS TRUSTEE FOR  
THE RAYMOND DAVID JAMIESON  
IRREVOCABLE GRANDCHILDREN'S  
TRUST; and JUDITH JAMIESON AS  
TRUSTEE FOR THE JAMIESON FAMILY  
FOUNDATION,

Plaintiffs,

v.

SECURITIES AMERICA, INC.;  
SECURITIES AMERICA ADVISORS, INC.;  
HECTOR A. MAY; VANIA MAY BELL;  
and EXECUTIVE COMPENSATION  
PLANNERS, INC.,

Defendants.



**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

19 CV 1817 (VB)

5/2/22 D#  
Copies Mailed/Faxed  
Chambers of Vincent L. Briccetti

Before the Court is Magistrate Judge Judith C. McCarthy's Report and Recommendation, dated February 22, 2022 (Doc. #98), and Supplemental Report and Recommendation, dated March 17, 2022 (Doc. #104) (collectively referred to herein as "R&R"), in response to the Court's Order of Reference for an inquest on damages after entry of a default judgment as to liability. (Docs. ##83, 84).

Judge McCarthy recommended entry of a default judgment against defendants Hector A. May and Executive Compensation Planners, Inc., in the total amount of \$31,632,020, plus post-judgment interest at the statutory rate running from the date of entry of judgment.

Familiarity with the factual and procedural background of this case is presumed.

For the following reasons, the Court adopts the R&R as the opinion of the Court.

A district court reviewing a magistrate judge's report and recommendation "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate

judge.” 28 U.S.C. § 636(b)(1). Parties may raise objections to the magistrate judge’s report and recommendation, but they must be “specific[,] written,” and submitted within 14 days after being served with a copy of the recommended disposition. Fed. R. Civ. P. 72(b)(2); 28 U.S.C. § 636(b)(1).

Insofar as a report and recommendation deals with a dispositive motion, a district court must conduct a de novo review of those portions of the report or specified proposed findings or recommendations to which timely objections are made. 28 U.S.C. § 636(b)(1)(C). The district court may adopt those portions of a report and recommendation to which no timely objections have been made, provided no clear error is apparent from the face of the record. Lewis v. Zon, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008); Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). The clearly erroneous standard also applies when a party makes only conclusory or general objections, or simply reiterates his original arguments. Ortiz v. Barkley, 558 F. Supp. 2d 444, 451 (S.D.N.Y. 2008).

No party has objected to Judge McCarthy’s thorough and well-reasoned R&R.

The Court has carefully reviewed the R&R and finds no error, clear or otherwise.

### CONCLUSION

The R&R is adopted in its entirety as the opinion of the Court.

The Court will separately enter a default judgment against defendants Hector A. May and Executive Compensation Planners, Inc., in the total amount of \$31,632,020, plus post-judgment interest at the statutory rate running from the date of entry of judgment.

Chambers will mail a copy of this Order as well as the default judgment to defendants Hector A. May and Executive Compensation Planners, Inc., at the following address:

Hector A. May  
Executive Compensation Planners, Inc.  
Register No. 86417-054  
FCI Danbury  
Federal Correctional Institution  
Route 37  
Danbury, CT 06811

Dated: May 2, 2022  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti  
United States District Judge